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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,842	08/04/2003	Shinji Hayashi	086142-0573	5064
22428	7590	08/02/2006	EXAMINER	
FOLEY AND LARDNER LLP SUITE 500 3000 K STREET NW WASHINGTON, DC 20007			DUNN, DAVID R	
			ART UNIT	PAPER NUMBER
			3616	

DATE MAILED: 08/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/632,842

Applicant(s)

HAYASHI, SHINJI

Examiner

David Dunn

Art Unit

3616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 May 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6,8-13 and 15-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-4,6 and 8-13 is/are allowed.
- 6) ☒ Claim(s) 15-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This Office Action is responsive to the amendment filed May 23, 2006.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis, Jr. et al. (US 6,076,851) in view of Desprez (US 6,595,543).

Davis, Jr. et al. discloses an airbag apparatus for a front passenger seat of a vehicle comprising: a container (56) that has a pair of substantially parallel sidewalls (see Figure 3); an airbag (60) wherein one of the sidewalls includes a locking part (60) and the other sidewall includes a fixing part (62), the fixing part including two parallel members extending parallel to the instrument panel, and wherein the fixing part receives a wall section (see Figure 3) that extends from a rear surface of the instrument panel between the two members, wherein the wall section includes a leg piece (52) that extends in a direction parallel to the instrument panel and away from the container (see Figure 3).

Manire fails to show the locking part comprising a hook.

Desprez teaches an airbag apparatus comprising a container with a hook shaped locking part (44) which passes through and connects to an instrument panel.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Davis, Jr. with the teachings of Desprez to include a hook shaped locking part in order to allow for a simplified connection of the airbag apparatus to the instrument panel.

3. Claims 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Manire (US 5,794,967) in view of Desprez (US 6,595,543).

Manire discloses an airbag apparatus for a front passenger seat of a vehicle comprising: a container (44) that has a pair of substantially parallel sidewalls (see Figure 2); an airbag (56); wherein one of the sidewalls includes a locking part (112) and the other sidewall includes a fixing part (120C), the fixing part including two parallel members extending parallel to the instrument panel, and wherein the fixing part receives a wall section (42) that extends from a rear surface of the instrument panel between the two members.

Manire fails to show the locking part comprising a hook.

Desprez teaches an airbag apparatus comprising a container with a hook shaped locking part (44) which passes through and connects to an instrument panel.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Manire with the teachings of Desprez to include a hook shaped locking part in order to allow for a simplified connection of the airbag apparatus to the instrument panel.

Allowable Subject Matter

4. Claims 1-4, 6, and 8-13 are allowed.

Response to Arguments

5. Applicant's arguments, see Remarks, filed May 23, 2006, with respect to the rejection(s) of claim(s) 15-18 under Labrie in view of Desprez have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made as noted above.

6. Applicant's arguments, see Remarks, filed May 23, 2006, with respect to claims 11-13 have been fully considered and are persuasive. The rejection of claims 11-13 has been withdrawn.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Dunn whose telephone number is 571-272-6670. The examiner can normally be reached on Mon-Fri, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'David Dunn', with a long horizontal stroke extending to the right.

David Dunn
Primary Examiner
Art Unit 3616